

Response to Office Action :

Regarding the report - an Office Action in which all of the claims re my application number (10/526,460) are rejected by the Examiner, citing six Patent No's in particular for this decision,

I have had time to review each of these in detail and believe that each is substantially different in its construction and use, from my device

I have made some notes on the claims which were cited and I have listed below the differences between these and my application.

I also believe that the claims in my application may, in hindsight have been too general and vague in their wording so I have cancelled original Claims 14-24 and have re-written new Claims 14-24.

Claim 14

You argue that this was anticipated by Goldman , however Goldman did not have a hinged 90 degree coupling, but instead an independent attachment to fit on a standard rigid end hook, and a hinged finger guard tab on the tape casing. So 90 degree coupling hinged at zero point on scale could not be anticipated by Goldman.

Even if lower section of Goldman did hinge it is not fixed at 90 degrees to upper section to fit into corner and upper and lower parts do not move each other into required position as tape is offered up to work.

Claim 15

With Goldman only upper part of coupling is hinged at free end of the elongate member. Upper and lower parts would have hinged independently IF lower part hinged.

Claim 16

Only perpendicular to one another when the first section (60) is folded down and not in use. They are coplanar when (60) is in use but both perpendicular to the elongate member.

Claim 17

Yes , but end hook is standard rigid 90 degree hook as on a standard tape which does not hinge. Anchor on Goldman does not form part of hinge.

Claim 18

Goldman coupling is substantially flat with slight concave surface which hinges about the axis independently of hook 34. My invention comprises 90 degree coupling which forms equivalent of hook 34 when folded in one direction but in which upper and lower hinge together as one.

Claim 20

Only the upper coupling is displaceable in Goldman tape. Also in my tape holes in the coupling correspond with the position of the rivets where required, to allow 90 degree rotation.

Claim 21

This is a generic claim used by all

Claim 23

Again, only the upper coupling is hinged with Goldman.

Claim 24

This is standard for all tapes.

Regarding your comments in relation to Ten Caat et al.

Claim 14

The coupling (3,4,7,9) ,described by Ten Caat et al ,all hinge independently as substantially flat plates and part (9) ,and so will not form a rigid 90 degree coupling, as does my tape, and so will not readily fit into a corner.

Claim 17

Anchor is substantially different as it does not form the inner section of hinge to permanent 90 degree coupling, rather it is base for various independent sections.

Claim 18

Ten caat et al coupling consists of individual plates which are substantially flat ,rather than single 90 degree coupling with inner and outer surfaces ,and radius around corner, made to be at zero point of scale when required, as anchor slides in and out on rivets to allow for thickness of plate sections, as known in prior art.

Claim 19

Ten caat et al show four independent parts where plates are substantially flat, plus elongate member to hinge independently of each other(fig 2) .
Seamus Grealy shows one anchor to elongate member which forms inner part of hinge to 90 degree coupling which hinges about anchor.

Claim 22

Backing plate (4) referred to by Ten caat et al is known in prior art, but forms a reinforcement at the rivets